

December 19, 2019

**VIA ECF**

The Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *In re Aluminum Warehousing Antitrust Litig.*, No. 13-md-2481 (PAE)  
(S.D.N.Y.); *Reynolds Consumer Prods., et al. v. Glencore AG, et al.*, No.  
16-cv-5955 (PAE) (S.D.N.Y.)**

Dear Judge Engelmayer:

The parties respectfully submit this joint letter to update the Court on the ongoing discovery negotiations in the action brought by Plaintiffs Reynolds Consumer Products LLC (“Reynolds”) and Southwire Company, LLC (“Southwire”) (collectively, “Reynolds-Southwire”). Although the parties have not reached agreement on the scope of discovery, negotiations are ongoing. This letter reports on the current status of those negotiations.

1. The parties have tentatively agreed on a deadline of March 6, 2020 for substantial completion of document productions and a fact discovery deadline of May 7, 2020.
2. The parties have served one another with document requests and interrogatories, and have agreed to dates for serving their respective responses and objections.
3. Defendants have produced substantially the entire existing discovery record to Reynolds-Southwire, with the rest to be produced shortly.
4. The parties have met and conferred twice, and will continue to do so.
5. Defendants have requested that Reynolds-Southwire provide proposed search terms for documents unique to Reynolds-Southwire, so that Defendants can identify relevant documents, and assess and discuss burden and proportionality. Reynolds-Southwire are preparing proposed search terms and will provide them to Defendants.
6. Defendants have provided Reynolds-Southwire with the search terms to which the other plaintiffs previously agreed. Reynolds-Southwire will review the search terms and respond as necessary with any proposed revisions. Defendants believe that such revisions and certain of Reynolds-Southwire’s document requests are inappropriate, because they seek to reopen negotiations concerning discovery already provided to the other plaintiffs. Reynolds-Southwire believe that they are entitled to additional information before agreeing to be bound to prior negotiations to which they were not a party. For example, Reynolds-Southwire would like to know whether Defendants produced any documents responsive to those requests. Similarly, while some of the Defendants have identified some previously produced documents that are potentially responsive to some of those

requests, they have not explained whether (a) Defendants responded to those requests, (b) Defendants narrowed their scope, or (c) if the FLPs or IPs withdrew those requests.

7. With respect to the parties' current disagreement concerning the issues referenced in point (6) above, the parties are continuing to meet and confer.
8. The parties will provide the Court with another update on the next status call with the Court.

Respectfully submitted,

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